

**John Day City Council  
May 10, 2016  
7:00 PM  
Council Chambers  
AGENDA**

1. OPEN AND NOTE ATTENDANCE
2. APPROVAL OF CITY COUNCIL MINUTES OF APRIL 12, 2016 AND APRIL 21, 2016 EXECUTIVE SESSION.
3. APPEARANCE OF INTERESTED CITIZENS – At this time Mayor Lundbom will welcome the general public and ask if there is anything they would like to add to tonight's agenda.

**ACTION ITEMS:**

4. AWARD EMPLOYEE RECOGNITION CERTIFICATES
5. DISCUSS DEVELOPING A POLICY CLARIFYING THE MEANING OF "REPRESENTATIVES OF THE NEWS MEDIA."
6. DISCUSS FOR ADOPTION RESOLUTION NO. 16-754-01, A RESOLUTION TO DECLARE ACCOUNT UNCOLLECTIBLE AND TAKE OFF THE BOOKS AS RECEIVABLE
7. ENTER INTO EXECUTIVE SESSION UNDER ORS 192.660 (2)(A) TO CONSIDER THE EMPLOYMENT OF A PUBLIC OFFICER, EMPLOYEE, STAFF MEMBER OR INDIVIDUAL AGENT.

**OTHER BUSINESS:**

8. OTHER BUSINESS AND UPCOMING MEETINGS
  - Attachments:
    - LOC Bulletins
    - LOC Regional Meetings Flyer
    - Ordinance No. 16-168-01

**ADJOURN**

**TO:** John Day City Council  
**FROM:** Peggy Gray, City Manager  
**DATE:** May 6, 2016  
**SUBJECT:** Award Employee Recognition Certificates

**BACKGROUND:**

Council President Steve Schuette will present the following employee awards:

- Monte Legg of the John Day Public Works Department an employee recognition certificate for 15 years of dedicated service to the City of John Day Public Works Department;
- Camillia Haney in recognition for 10 years of dedicated service to the City of John Day 911 Emergency Communications Center;
- Sergeant Damon Rand in recognition for 10 years of dedicated service to the City of John Day Police Department.
- Golden Stork Award to Don Speakman of the 911 Emergency Communications Center for his commendable work in aiding in the emergency delivery of a baby boy on April 20, 2016.

**TO:** John Day City Council  
**FROM:** Peggy Gray, City Manager  
**DATE:** May 6, 2016  
**SUBJECT:** Discuss developing a Policy clarifying the meaning of “Representatives of the News Media.”

**BACKGROUND:**

On April 21, 2016 I received the following message from City Attorney Jeremy Green inquiring if the John Day City Council is interested in developing a policy clarifying the meaning of “representatives of the news media.”

Jeremy states: As you are aware, Oregon’s Public Meetings Law authorizes city governing bodies to hold executive sessions in certain limited situations. Oregon law expressly provides that representatives of the news media must be allowed to attend nearly all executive sessions. With the rise of alternative news sources, online news media, and blogging, a few of you have recently asked who is a representative of the news media?

Unfortunately, the term “representatives of the news media” is not defined under Oregon’s Public Meetings Law. Further, there is no recent court case or Oregon Attorney General (“AG”) opinion defining the term. In 1979, the AG interpreted the term to include “news-gathering representatives of institutionalized news media that ordinarily report activities of the body.” According to the AG, this interpretation should be broadened to include representatives who “ordinarily report to the general public on matters of the nature under consideration by the body.” Thus, an individual may be a representative of the news media even if he or she does not work for traditional print media.

Several local governments in Oregon have faced non-traditional media representatives asking to attend executive sessions. In 2008, the Lake Oswego City Council denied a blogger from sitting in on an executive session. This widely reported incident prompted the city to pass a resolution establishing eligibility criteria for representatives of the news media. Several cities in Oregon have since followed suit (e.g., West Linn, Newport, Prineville, and Tigard).

Ultimately, the decision to allow or prohibit an individual from attending an executive session (as a representative of the news media) will be more defensible if based upon criteria established in a policy or resolution. If you are interested in working on a policy clarifying the meaning of “representatives of the news media,” please feel free to contact me for assistance.

**RECOMMENDATION:**

I believe a policy or resolution clarifying the meaning of “representative of the news media” would be in the City’s best interest. I recommend the City of John Day participate with the other cities if City Attorney Jeremy Green drafts a resolution for adoption.

**TO:** John Day City Council  
**FROM:** Peggy Gray, City Manager  
**DATE:** May 6, 2016  
**SUBJECT:** Discuss for Adoption Resolution No. 16-754-01, a Resolution to declare account uncollectible and take off the books as receivable

**BACKGROUND:**

Resolution No. 16-754-01 is a resolution to declare account uncollectible and take it off the books as a receivable and turns it over to the collection agency.

**RECOMMENDATION:**

The John Day City Council adopts Resolution No. 16-754-01, a resolution to declare account uncollectible and take off the books as receivable.

**TO:** John Day City Council  
**FROM:** Peggy Gray, City Manager  
**DATE:** May 6, 2016  
**SUBJECT:** Enter into Executive Session under ORS 192.660 (2)(a) to consider the employment of a public officer, employee, staff member or individual agent

**BACKGROUND:**

The City of John Day will now meet in executive session. The executive session is held pursuant to ORS 192.660(2)(a) for this session, to consider the employment of a public officer, employee, staff member or individual agent.

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

Council President Steve Schuette will now ask for a motion from the Council to move into executive session under ORS 192.660(2)(a).

**TO:** John Day City Council  
**FROM:** Peggy Gray, City Manager  
**DATE:** May 6, 2016  
**SUBJECT:** Other Business and Upcoming Meetings  
Attachments:

- LOC Bulletins
- LOC Regional Meetings Flyer
- Ordinance No. 16-168-01

**OTHER BUSINESS:**

1. LOC Bulletins are included in your council packets.
2. The League of Oregon Cities will be hosting a LOC Regional Meeting in John Day on May 19<sup>th</sup>. The meeting will be held at the Outpost Pizza Pub & Grill beginning at 11:30 a.m.
3. Included in your council packets is Ordinance No. 16-168-01, an ordinance establishing criminal history record check policies concerning applicants for employment, appointed volunteers etc. During the city manager's recruitment process, we discovered that the City can only do a LEDS, purpose code E check on the city manager applicant if the city has passed an ordinance that directs the Police Department to run criminal history checks on non-PD city employment applicants. Since we do not have an ordinance that states this we need to adopt one as soon as possible. I will place this ordinance on the May 24, 2016 council agenda for discussion and adoption.
4. Final OAC meeting for the new fire station will be held on Thursday, May 12, 2016 at 10:30 a.m. We will do a final walk-through, paving is scheduled for Monday, May 9<sup>th</sup>, striping and signage May 11<sup>th</sup>, hope to be fully complete for our final meeting. We have scheduled the ribbon cutting ceremony and open house on Saturday, June 4<sup>th</sup> at 4:00 p.m.
5. Negotiations with the Grant County Peace Officers Association are scheduled to begin on May 24<sup>th</sup> and 25<sup>th</sup>; they've had to postpone several times due to scheduling conflicts.

**UPCOMING MEETINGS:**

May 19, 2016	11:30 a.m. – 1:30 p.m. Outpost Pizza and Grill	LOC Regional Meeting
May 24, 2016	7:00 p.m. Council Chambers	Regular City Council meeting, Public Hearing on FY 2016-2017 Budget